

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-8 are now in the application.

Applicant notes that the patent number listed as reference A in the Information Disclosure Statement (IDS) dated July 15, 2003 filed in the above-identified application should have read as --5,751,655-- instead of "5,715,655." This oversight has been corrected by filing an IDS herewith stating the correct patent number.

In item 4 on page 2 of the above-identified Office Action, the Examiner objected to claims 2-6 and 8 because they are based on a rejected claim, namely, independent claim 1, although they contain allowable subject matter (as stated in item 7 on page 3 of the above-identified Office Action).

The objection is deemed inappropriate and to have been overcome in view of applicant's remarks set forth hereinbelow.

In item 5 on page 3 of the above-identified Office Action, claims 1 and 7 have been rejected as being anticipated by Schubert (U.S. 4,788,492) under 35 U.S.C. § 102(b).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and, therefore, the claims have not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, a circuit element having:

an input for receiving an external clock with a clock period duration;

a unit for providing the circuit element with information representing the clock period duration of the external clock; and

a unit for the temporal control of at least one signal in the circuit element on the basis of the information representing the clock period duration. (emphasis added)

According to the present invention, there is provided a circuit element, which is configured to be able to operate with one of different clocks supplied to the circuit element from the outside and having different clock frequencies. The present invention has a unit for providing the circuit element with information representing the clock period duration of the external clock. At least one signal in the circuit element is scheduled or temporarily controlled on the basis of the information representing the clock period duration. More specifically, the circuit element receives information on the clock period duration (i.e., the frequency) of the external clock, so that the internal operation of the circuit element can be controlled, making use of the information representing the clock frequency and, preferably the external clock itself.

Schubert does not show or suggest a unit for providing a circuit element with information representing the clock period duration (or clock frequency) of an external clock.

Schubert discloses a logic analyzer having a plurality of data channels and clock channels connected to a digital circuit 4 under test. A temporary memory 1, 2 or 3 is associated with each of the clock channels I, II or III. Upon occurrence of an external clock signal in one of the clock

channels I, II or III, the data from the data channel a-x are stored in the respective associated temporary memory 1, 2 or 3, depending on which clock channel triggers the storing operation (col. 2, ll. 49-53). The temporary memory in which the data are stored establishes a request signal for a synchronizing unit 6 which, at the next possible master clock cycle, retrieves the data from the temporary memory and stores the data in a data memory 8 via a sequence control unit 7. Synchronizing unit 6 is constructed to satisfy several retrieval requests, which are simultaneously received, consecutively in accordance with a predetermined priority pattern (col.2, l. 59 - col.3, l. 13). Thus, according to Schubert, even with simultaneous or approximately simultaneous occurrence of clock signals in the clock channels, all data of the data channels are sampled without any data losses and are stored in the data memory (see col. 1, ll. 41-46).

There is **no disclosure or teaching** in Schubert of a unit for providing the logic analyzer (which apparently is regarded as a circuit element by the Examiner) with **information representing the clock period duration of an external clock**. The respective clock signals are received on the clock channels I, II and III. By making use of the respective clock signal, the respective temporary memory is triggered.

Thus, according to Schubert, the external clock signals themselves are received. However, Schubert does not disclose any unit for providing information representing the clock period duration of the external clock signal. According to Schubert, the external clock signals are used only for triggering the temporary memories 1, 2 and 3. Schubert does not disclose obtaining information representing the clock period duration of the external clock signal from the received external clock signals as claimed.

Schubert does not show "a unit for providing the circuit element with information representing the clock period duration of the external clock" as recited in claim 1 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

Finally, applicant appreciatively acknowledges the Examiner's statement that claims 2-6 and 8 "would be allowable if

rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants respectfully believe that rewriting of claims 2-6 and 8 is unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-8 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Appl. No. 10/620,092  
Amdt. dated 11/9/04  
Reply to Office action of 8/10/04

Please charge any other fees that might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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FDP/bb

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